

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

EDWIN B. PAGAN-FLECHA,
Plaintiff

v.

CIVIL NO. 05-1926(DRD)

**MIKE JOHANS, DEPARTMENT OF
AGRICULTURE, (Farm Service Agency)**

MOTION	ORDER
<p>Date Filed: 02/13/06 Docket #11 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Urgent Motion on Agency's Memorandum</p>	<p>DENIED. It is the law in this Circuit that legal arguments alluded to in a perfunctory manner but unaccompanied by a developed argumentation, are deemed abandoned. <u>Forestier Fradera v. Municipality of Mayaguez</u>, 440 F.3d 1, (1st Cir. 2006); <u>U.S. v. Zannino</u>, 895 F.2d 1, 17 (1st Cir. 1990). Further, "it is not enough merely to mention a possible argument in the most skeletal way, leaving the court to do counsel's work, create the ossature for the argument, and put flesh on its bones". <u>Id.</u> After all, "[J]udges are not expected to be mindreaders. Consequently, a litigant has an obligation 'to spell out its arguments square and distinctly,' or else forever hold its peace". <u>Id.</u>, <i>citing</i> <u>Rivera de Gomez v. Castro</u>, 843 F.2d 631, 635 (1st Cir. 1988) (<i>quoting</i> <u>Patterson-Leitch Co. v. Massachusetts Municipal Wholesale Elec. Co.</u>, 840 F.2d 985, 990 (1st Cir. 1988)). Precisely that is what plaintiff has done in the instant motion.</p> <p>The Government is authorized to be present at any time during opposing counsel attempts to contact any of defendant's employees. Further, should plaintiff be interested in interviewing any of the defendant's employees who, at plaintiff's belief, may have information relating to the captioned case, nothing precludes the Government to provide legal representation to said employee during interview and/or deposition of the employee.</p>
<p>Date Filed: 02/17/06 Docket #13 <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: USA's Motion for Continuance</p>	<p>MOOT. The sixty (60) days requested have already elapsed.</p>

Date Filed: 03/06/06 Docket # <u>17</u> <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: Motion to Strike	MOOT. See ruling for Docket Entry No. 11.
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IT IS SO ORDERED.

In San Juan, Puerto Rico this 28th day of April 2006.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE